REQUEST **FOR** 

ĴÉD EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number:

10/766,603

Filing Date:

January 27, 2004

First Named Inventor.

Robert Gregory Wagoner

Group Art Unit: 2836

Examiner Name:

Daniel J. Cavallari Attorney Docket Number: 0001285USU/379

CUSTOMER NO .:

27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114			
	a.	<u>XXXXX</u>	Previously submitted	
		i. XXXX	Consider the amendment under 37 C.F.R. 1.116 previously filed on	
			July 20, 2007 (any unentered amendment(s) referred to above will be entered).	
		ii.	Consider the arguments in the Appeal Brief or Reply Brief previously filed	
			filed on	
		iii	Other	
	b.		Enclosed	
		<u>.                                      </u>	_ Amendment/Reply with transmittal	
		ii.	Affidavit(s)/Declaration(s)	
		iii.	Information Disclosure Statement (IDS) and PTO-1449	
		iv.	Other	
2.	Miscel	laneous		
-	a.	laricous	Supposion of action on the above identified and incition in account of	
	a.		Suspension of action on the above-identified application is requested under 37	
			C.F.R. § 1.103(c) for a period of months. (Period of	
	b.		suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required) Other	
3.		The PCE fee Und		
<b>J</b> .	a.	VVVVV	er 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.	
	a.	XXXXX	The Director is hereby authorized to charge any deficiency in fees, or credit any	
		: ۷۷۷۷	overpayments to Deposit Account No. 01-0467.	
		i. XXXX		
		ii	Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)	
		iii.	Other	
	b.	<u>XXXXX</u>	Check in the amount of \$ 790.00 enclosed	
	C.		Payment by credit card (Form PTO-2038 enclosed)	
August 16, 2007 Date of Signature			Edward L. McMahon	
ŭ			Attorney for Applicant(s)	
			· morroy for Approximator	

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Registration No. 44,927

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**CERTIFICATE OF MAILING** 

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2007.

Joanne A. Romaniello	
NAME	

